

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: IOWA TELECOMMUNICATIONS SERVICES, INC., d/b/a IOWA TELECOM	DOCKET NO. SPU-02-9
---	---------------------

ORDER DENYING REQUEST FOR ADDITIONAL TIME

(Issued July 3, 2002)

On June 28, 2002, Iowa Telecommunications Services, Inc., d/b/a Iowa Telecom (Iowa Telecom), filed with the Utilities Board (Board) a request for approval to disconnect access services being provided to WorldCom, Inc. (WorldCom). On July 2, 2002, the Board docketed the request for investigation and ordered that WorldCom shall file its answer to the request on or before July 5, 2002.

On July 3, 2002, WorldCom filed a request for additional time to file its answer, pointing to two events as justification for its request. First, WorldCom stated that on July 2, 2002, Iowa Telecom filed and served by hand delivery an amendment to its original request, adding additional factual allegations regarding presentment of a check Iowa Telecom received from WorldCom. Second, WorldCom stated that on the same date, the daily summary of filings posted on the Board's web site for July 1, 2002, listed under this docket 10 pages of "Additional Materials" from Iowa Telecom. WorldCom states that as of the time of its filing, it had not received these additional materials. WorldCom asserts that based upon these events, it should be given

additional time to file its answer. WorldCom seeks an extension to July 9, 2002.

WorldCom also asks that the Board order the parties, for the remainder of this proceeding, to serve all filings by hand delivery or, at a minimum, facsimile transmission.

Later on July 3, 2002, Iowa Telecom filed a resistance to WorldCom's request for additional time. Iowa Telecom explains that it did not file the "Additional Materials" in this docket on July 1, 2002. Instead, Iowa Telecom understands that on that date the Board's Records Center received copies of certain Iowa Telecom letters to WorldCom relating to this matter, letters that were copied to the Board's Executive Secretary at the time they were mailed (i.e., before this proceeding was commenced). It appears that the letters were delivered by Board staff to the Records Center to become a part of the formal record in this proceeding, and the Records Center staff properly listed them on the Daily Filings page and Iowa Telecom provided copies to all parties by U.S. mail. Accordingly, Iowa Telecom argues that the "Additional Materials" do not justify granting additional time for the answer.

Iowa Telecom also argues that the amendment it filed on July 2, 2002, further demonstrates the need for expedited action in this docket. Briefly, Iowa Telecom argues that its tariff requires that access service customers pay their bills in "immediately available funds," which are defined as funds which are available for use by the receiving party on the same day on which they are received. In the past, Iowa Telecom asserts, it has been able to redeem each WorldCom check for a cashier's check on the day the WorldCom check was received, but on July 1, 2002,

WorldCom's bank declined to convert the check into immediately available funds, instead requiring that Iowa Telecom wait for the WorldCom check to clear. Iowa Telecom argues this is further evidence that it should be authorized to disconnect service to WorldCom after July 5, 2002, in the absence of a deposit.

The Board will deny WorldCom's request for additional time to answer. The "Additional Materials" event relied upon by WorldCom appears to be a non-event, while the July 2, 2002, amendment to Iowa Telecom's June 28, 2002, request appears to demonstrate the need for expedited handling of this matter.

IT IS THEREFORE ORDERED:

The "Emergency Request For Additional Time" filed by WorldCom, Inc., on July 3, 2002, is denied.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 3rd day of July, 2002.